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Docket No. FER-14651

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Applicant: Boris Y. Shekunov et al.  
Serial No.: 10/691113  
Filed: 22 October 2003  
For: METHOD AND APPARATUS FOR PRODUCING PARTICLES  
VIA SUPERCRITICAL FLUID PROCESSING  
Art Unit: 1723  
Examiner: Joseph W. Drodge

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-SB-08A. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.:  
Filing Date:

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) ☐ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) ☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) ☐ Within 3 months of the filing date or date of entry into the National Stage.
- (b) ☐ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the

absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 060625 consideration of this Statement.

(c) ☐ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) ☐ The required certification is given below, or

(2) ☐ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) ☐ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 060625.

(d) ☒ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) ☐ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2) ☒ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 060625.

4. Certification (if applicable)

(a) ☒ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.


(b) ☐ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 060625.

Respectfully Submitted,

**RANKIN, HILL, PORTER & CLARK LLP**

By

  
Kenneth A. Clark  
Reg. No. 32,119

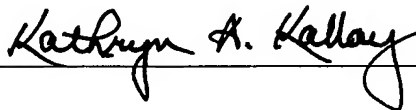
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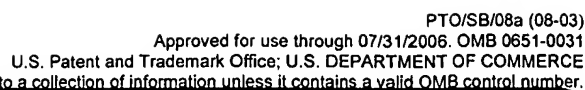
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17 May 2006

  
Kathryn A. Kelley



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*(Use as many sheets as necessary)*

Sheet 1 of 1

Application Number	10/691113
Filing Date	10/22/2003
First Named Inventor	Boris Shekunov et al.
Art Unit	1723
Examiner Name	Joseph W. Drodge
Attorney Docket Number	FER - 14651

## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

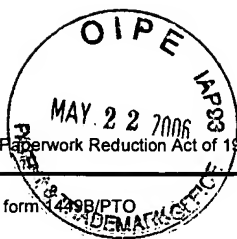
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		GB 627043	07-27-1949	N.V. de Bataafsche		
		WO 02/076609 A1	10-03-2002	Ceramic Fuel Cells		
		BE 465465	06-05-1946	Shell Development		
		WO 94/11096	05-26-1994	Eastman Kodak		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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### Complete if Known

Application Number	10/691113
Filing Date	October 22, 2003
First Named Inventor	Boris Shekunov et al.
Art Unit	1723
Examiner Name	Joseph W. Drodge
Attorney Docket Number	FER - 14651

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Schmitt et al., "Finely-Divided Powders by Carrier Solution Injection into a Near or Supercritical Fluid," AICHE Journal, Vol. 41, No. 11, November 1995, Pages 2476-2486, XP009060901	
		Bruinsma et al., "Continuous Gas Anti-Solvent Crystallization of Hydroquinone from Acetone Using Carbon Dioxide," 4th Intern. Symp. on Supercritical Fluids, May 11-14, 1997, pages 63-66	
		Jung et al., "Particle design using supercritical fluids: Literature and patent survey," Journal of Supercritical Fluids, Vol. 20, No. 3, August 2001, pages 179-210, XP002365939	
		Subra et al., "Powders elaboration in supercritical media: comparison with conventional routes," Powder Technology, Vol. 103, No. 1, June 1999, pages 2-9, XP002365493	
		Supplementary European Search Report, Application No. 04707421.6, dated 1 March 2006, four pages	

Examiner  
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